

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Ernest N. Benjamin,)
PETITIONER;)
v.)
Luis Spencer,)
RESPONDENT;)
_____)

CIVIL ACTION NO. 1:04-cv-11025-JTL
PRIOR PETITION C.A. No. 01-10748-JTL

FILED
CLERK OF COURT
JUL 7 2005
FBI

PETITIONER'S REPLY TO MAGISTRATE'S
REPORT & RECOMMENDATION # 28

Whereas the Honorable Magistrate has issued his R&R #28, recommending DENIAL of "Petitioner's Motion to Amend Petition", and that said amendment was to reflect the 2004 petition, and as reasons therefore avered that he was no longer in possession of the 2001 Petition. And that Magistrate Collins caused to be forwarded a true copy of the 2001 petition, thereby removing any prejudice to the Petitioner, the petitioner offers NO OBJECTIONS to R&R #28 and concurs with the findings therein.

Dated: July 6, 2005

Respectfully:

Ernest N. Benjamin

